

113TH CONGRESS  
1ST SESSION

# S. 559

To establish a fund to make payments to the Americans held hostage in Iran, and to members of their families, who are identified as members of the proposed class in case number 1:08-CV-00487 (EGS) of the United States District Court for the District of Columbia, and for other purposes.

---

## IN THE SENATE OF THE UNITED STATES

MARCH 13, 2013

Mr. ISAKSON (for himself and Mr. BLUMENTHAL) introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

---

# A BILL

To establish a fund to make payments to the Americans held hostage in Iran, and to members of their families, who are identified as members of the proposed class in case number 1:08-CV-00487 (EGS) of the United States District Court for the District of Columbia, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-  
2 tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Justice for Former  
5 American Hostages in Iran Act of 2013”.

## 1 SEC. 2. AMERICAN HOSTAGES IN IRAN COMPENSATION

## 2 FUND.

3 (a) ESTABLISHMENT.—There is established in the  
4 Treasury a fund, to be known as the “American Hostages  
5 in Iran Compensation Fund” (in this section referred to  
6 as the “Fund”) for the purposes of—

7 (1) making payments to the Americans held  
8 hostage in Iran, and to members of their families,  
9 who are identified as members of the proposed class  
10 in case number 1:08-CV-00487 (EGS) of the  
11 United States District Court for the District of Co-  
12 lumbia; and

13 (2) satisfying the claims of the members of the  
14 proposed class against Iran relating to the alleged  
15 taking of hostages or treatment of personnel of the  
16 United States embassy in Tehran, Iran, between No-  
17 vember 3, 1979, and January 20, 1981.

18 (b) FUNDING.—

19 (1) IMPOSITION OF SURCHARGE.—

20 (A) IN GENERAL.—There is imposed a sur-  
21 charge equal to 30 percent of the amount of  
22 any fine or penalty imposed, in whole or in  
23 part, for a violation of a law or regulation speci-  
24 fied in subparagraph (B) committed on or after  
25 the date of the enactment of this Act.

(B) LAWS AND REGULATIONS SPECIFIED.—A law or regulation specified in this subparagraph is any law or regulation imposing a fine or penalty for any economic activity relating to Iran that is administered by the Department of State, the Department of the Treasury, the Department of Justice, the Department of Commerce, or the Department of Energy.

16                           (2) DEPOSITS INTO FUND; AVAILABILITY OF  
17                           AMOUNTS.—

1           with respect to which the surcharge is im-  
2           posed—

- 3                         (i) is paid directly to the Federal  
4                         agency that administers the law or regula-  
5                         tion pursuant to which the fine or penalty  
6                         is imposed; or  
7                         (ii) is deemed satisfied by a payment  
8                         to another Federal agency.

9                 (C) AVAILABILITY OF AMOUNTS IN  
10                 FUND.—Amounts in the Fund shall be avail-  
11                 able, without further appropriation, to make  
12                 payments under subsection (c).

13                 (c) DISTRIBUTION OF FUNDS.—

14                         (1) ADMINISTRATION OF FUND.—Payments  
15                 from the Fund shall be administered, subject to  
16                 oversight by the Secretary of the Treasury, by the  
17                 named representatives of the proposed class de-  
18                 scribed in subsection (a)(1) and an agent the mem-  
19                 bers of the proposed class designate for the purpose  
20                 of administering payments from the Fund.

21                         (2) PAYMENTS.—Subject to paragraphs (3) and  
22                 (4), payments shall be made from the Fund to the  
23                 following recipients in the following amounts:

24                                 (A) To each living former hostage identi-  
25                 fied as a member of the proposed class de-

1           scribed in subsection (a)(1), \$10,000 for each  
2       day of captivity of the former hostage.

3           (B) To the estate of each deceased former  
4       hostage identified as a member of the proposed  
5       class described in subsection (a)(1), \$10,000 for  
6       each day of captivity of the former hostage.

7           (C) To each spouse or child of a former  
8       hostage identified as a member of the proposed  
9       class described in subsection (a)(1) if the  
10      spouse or child is identified as a member of  
11      that proposed class, \$5,000 for each day of cap-  
12      tivity of the former hostage.

13           (3) PRIORITY.—Payments from the Fund shall  
14      be distributed under paragraph (2) in the following  
15      order:

16           (A) First, to each living former hostage de-  
17      scribed in paragraph (2)(A).

18           (B) Second, to the estate of each deceased  
19      former hostage described in paragraph (2)(B).

20           (C) Third, to each spouse or child of a  
21      former hostage described in paragraph (2)(C).

22           (4) CONSENT OF RECIPIENT.—A payment to a  
23      recipient from the Fund under paragraph (2) shall  
24      be made only after receiving the consent of the re-  
25      cipient.

1       (d) PRECLUSION OF FUTURE ACTIONS AND RELEASE  
2   OF CLAIMS.—

3           (1) PRECLUSION OF FUTURE ACTIONS.—A re-  
4   cipient of a payment under subsection (c) may not  
5   file or maintain an action against Iran in any Fed-  
6   eral or State court for any claim relating to the  
7   events described in subsection (a)(2).

8           (2) RELEASE OF ALL CLAIMS.—Upon the pay-  
9   ment of all amounts described subsection (c)(2) to  
10   all recipients described in that subsection, all claims  
11   against Iran relating to the events described in sub-  
12   section (a)(2) shall be deemed waived and forever re-  
13   leased.

14       (e) DEPOSIT OF REMAINING FUNDS INTO THE  
15  TREASURY.—

16           (1) IN GENERAL.—Any amounts remaining in  
17  the Fund after the date specified in paragraph (2)  
18  shall be deposited in the general fund of the Treas-  
19  ury.

20           (2) DATE SPECIFIED.—The date specified in  
21  this paragraph is the later of—

22                  (A) the date on which all amounts de-  
23  scribed in subsection (c)(2) have been made to  
24  all recipients described in that subsection; or

1                   (B) the date that is 5 years after the date  
2                   of the enactment of this Act.

